

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	4:06CR3180
v.)	
)	
MICKIE GENE WEPPNER,)	
)	MEMORANDUM AND ORDER
Defendant.)	
_____)	

Defendant has requested a temporary release to his lawyer's custody to attend a "Family Group Conference" to develop a joint plan, with other relatives of his children, for the care and protection of his children.

The motion must be denied. I am advised by the pretrial services officer that there is an active warrant issued from Otoe County for the defendant's arrest on a charge of driving under suspension. If I were to release defendant, he would be immediately arrested on that warrant.

The information filed with the motion indicates that the children are wards of the State. There is no information, however, to the effect that the defendant's parental rights have been terminated. It seems apparent that no matter what happens regarding the ultimate resolution of this case, defendant will have some relationship with his children into the foreseeable future; thus his participation in the conference may be a good thing. Under the circumstances, though, that participation should probably be by telephone.

IT THEREFORE HEREBY IS ORDERED,

The motion, filing 19, and the amended motion, filing 21,
are both denied.

DATED this 8th day of February, 2007.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge